

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41687 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- SANGRAMPUR District- Munger

UDAY KUMAR SINGH S/O LATE MAHESHWAR SINGH Resident of
village- Rampurdih, P.S.- Bishanpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Sangrampur P.S. Case No. 143 of 2021 registered for the
offence under Sections 30(a) and 32 of the Bihar Prohibition
and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.02.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 4317.480 litres of IMFL/country made liquor from
the alleged vehicle.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the alleged truck, which was parked on the land belongs to one Shabir. It is also submitted that the alleged truck is not connected in any manner with petitioner as registration certificate of the truck/alleged vehicle is in name of one Md. Rizwan Ahmad and accordingly, the petitioner has been involved in present case on the basis of false input provided by secret information during the course of investigation, where petitioner is a man of clean antecedent. It has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner and further registration certificate of the alleged truck is also not appearing in the name of petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sangrampur P.S. Case No. 143 of 2021 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Exclusive Judge-II (Excise Act), Munger/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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